

ATTY. DOCKET NO.
50223USCNT
APPLICATION NO.
10/085,418
APPLICANT
LOWE
FILING DATE:
February 28, 2002Confirmation No.
4860
Group
1636

INFORMATION DISCLOSURE CITATION

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
✓	AA	5,034,323	7/23/1991	Jorgansen and Napoli	435/172.3	800/205	3/30/1989
	AB	5,190,931	3/2/1993	Masayori, Inouye	435/91	435/240.2	3/2/1993
	AC	5,231,020	7/27/1993	Jorgensen and Napoli	435/172.3	435/320.1	3/29/1990
	AD	5,283,184	2/1/1994	Jorgensen and Napoli	435/172.3	800/205	4/17/1991
	AE	5,365,015	11/15/1994	Grierson et al	800/205	435/172.3	7/12/1990
	AF	5,530,192	6/25/1996	Murase et al	800/205	800/DIG. 60	1/28/1997
	AG	5,597,718	1/28/1997	John et al	800/263	435/69.4	9/20/1995
	AH	5,850,026	12/15/1998	DeBonte and Hitz	800/281	800/278	7/3/1996
	AI	5,939,600	8/17/1999	Goldbach et al	800/205	435/69.1	9/16/1996
	AJ	5,952,546	9/14/1999	Bedbrook et al	800/298	435/320.1	6/27/1996
✓	AK	6,150,585	11/21/2000	Goldbach et al	800/205	800/250	11/26/1996

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	OFFICE	CLASS	SUBCLASS	TRANSLATION YES NO	
✓	AL	AU 747872	12/11/1998	AU	C12 15/63	C12 15/82	<input type="checkbox"/>	<input type="checkbox"/>
	AM	AU 20891/97	10/1/1997	AU	C12N 15/63	C12N 15/82	<input type="checkbox"/>	<input type="checkbox"/>
	AN	EP 0467349	1/22/1992	EP	C12N 1/21	C12N 15/63	<input type="checkbox"/>	<input type="checkbox"/>
	AO	EP 0983 370	9/17/2003	EP	C12N 15/63	C12N 15/82	<input type="checkbox"/>	<input type="checkbox"/>
	AP	EP 223399	5/27/1987	EP	C12N 15/00		<input type="checkbox"/>	<input type="checkbox"/>
	AQ	EP 240208	10/7/1997	EP	C12N 15/00	A01H 1/00	<input type="checkbox"/>	<input type="checkbox"/>
	AR	EP 426195	5/8/1991	EP	C12N 15/40	C12N 15/82	<input type="checkbox"/>	<input type="checkbox"/>
	AS	EP 458367	11/27/1991	EP	C12N 15/82	C12N 15/74	<input type="checkbox"/>	<input type="checkbox"/>
	AT	EP 522880	1/13/1993	EP	C12N 15/55	C12N 15/82	<input type="checkbox"/>	<input type="checkbox"/>
	AU	EP 647715	4/12/1995	EP	C12N 15/82	A01H 5/00	<input type="checkbox"/>	<input type="checkbox"/>
	AV	EP 779364	6/18/1997	EP	C12N 15/82	C12N 15/29	<input type="checkbox"/>	<input type="checkbox"/>
	AW	WO 00/01846	1/13/2000	WIPO	C12Q 1/68		<input type="checkbox"/>	<input type="checkbox"/>
	AX	WO 89/10396	11/2/1989	WIPO	C12N 15/00	C12N 15/00	<input type="checkbox"/>	<input type="checkbox"/>
	AY	WO 90/14090	11/29/1990	WIPO	A61K 31/70	C07H 19/067	<input type="checkbox"/>	<input type="checkbox"/>
	AZ	WO 91/02069	2/21/1991	WIPO	C12N 15/82	C12N 5/10	<input type="checkbox"/>	<input type="checkbox"/>
	BA	WO 91/16440	10/31/1991	WIPO	C12N 15/82	C12N 15/56	<input type="checkbox"/>	<input type="checkbox"/>
	BB	WO 92/04456	3/19/1992	WIPO	C12P 1/00	C12N 5/04	<input type="checkbox"/>	<input type="checkbox"/>
✓	BC	WO 92/11375	9/9/1992	WIPO	C12N 15/56	C12N 9/44	<input type="checkbox"/>	<input type="checkbox"/>

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							YES	NO
		BD	WO 92/11376	WIPO	C12N 15/56	C12N 9/42	<input type="checkbox"/>	<input type="checkbox"/>
		BE	WO 92/13070	WIPO	C12N 15/00	C12N 15/10	<input type="checkbox"/>	<input type="checkbox"/>
		BF	WO 92/17596	WIPO	C12N 15/82	C12N 15/29	<input type="checkbox"/>	<input type="checkbox"/>
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		BH	WO 92/21757	WIPO	A01H 5/00	A01N 65/00	<input type="checkbox"/>	<input type="checkbox"/>
		BI	WO 93/05159	WIPO	A01H 5/00	C12N 15/53	<input type="checkbox"/>	<input type="checkbox"/>
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		BM	WO 94/09143	WIPO	C12N 15/82	C12N 15/11	<input type="checkbox"/>	<input type="checkbox"/>
		BN	WO 94/17176	WIPO	C12N 5/00	C12N 15/00	<input type="checkbox"/>	<input type="checkbox"/>
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		BQ	WO 94/29465	WIPO	C12N 15/82	C12N 15/11	<input type="checkbox"/>	<input type="checkbox"/>
		BR	WO 95/07993	WIPO	C12N 15/82	C12N 15/29	<input type="checkbox"/>	<input type="checkbox"/>
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		BU	WO 97/13865	WIPO	C12N 15/82	C12N 15/56	<input type="checkbox"/>	<input type="checkbox"/>
		BV	WO 97/16559	WIPO	C12N 15/82	C12N 15/54	<input type="checkbox"/>	<input type="checkbox"/>
		BW	WO 98/05770	WIPO	C12N 15/11	C12N 15/55	<input type="checkbox"/>	<input type="checkbox"/>
		BX	WO 98/53083	WIPO	C12N 15/63	C12N 15/82	<input type="checkbox"/>	<input type="checkbox"/>
		BY	WO 99/15682	WIPO	C12N 15/82	A01H 3/00	<input type="checkbox"/>	<input type="checkbox"/>
		BZ	WO 99/32619	WIPO	C12N 15/11	C12N 15/63	<input type="checkbox"/>	<input type="checkbox"/>
		CA	WO 99/49029	WIPO	C12N 15/11	_____	<input type="checkbox"/>	<input type="checkbox"/>
		CB	WO 99/53050	WIPO	C12N 15/11	A01H 3/00	<input type="checkbox"/>	<input type="checkbox"/>
		CC	WO 99/61631	WIPO	C12N 15/63	C12N 15/82	<input type="checkbox"/>	<input type="checkbox"/>
		CD	WO 99/61632	WIPO	C12N 15/63	C12N 15/67	<input type="checkbox"/>	<input type="checkbox"/>
		CE	WO94/17176	WIPO	C12N 5/00	C12N 15/00	<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

<input checked="" type="checkbox"/>	CF	Assad et al, <i>Epigenetic repeat-induced gene silencing (RIGS) in Arabidopsis</i> <i>Plant Molecular Biology</i> , Vol. 22, No. 6 (1993) pp. 1067-1085
<input checked="" type="checkbox"/>	CH	Barry et al., Methylation induced premeiotically in <i>Ascombolus</i> : coextension with DNA repeat lengths and effect on trascript elongation. <i>Proceedings of the National Academy of Sciences, USA</i> Vol. 90: (1993) pp.4557-4561.

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	CJ	Gaulcomb et al., Mechanisms of pathogen-derived resistance to viruses in transgenic plants. <i>Plant Cell</i> Vol. 8: (1996) pp. 1833-1844.
	CJ	Bevec et al, <i>Constitutive Expression of Chimeric Neo-Rev Response Element Transcripts Suppresses HIV-1 Replication in Human CD4⁺ T Lymphocytes</i> <i>Human Gene Therapy</i> , Vol. 5 (1994), p. 193-201
	CK	Blomberg et al, <i>Control of replication of plasmid R1: the duplex between the antisense RNA, CopA, and its target, CopT, is processed specifically in vivo and in vitro by RNase III</i> <i>The European Molecular Biology Organization</i> , Vol. 9, No. 7, (1990) pp. 2331-2340
	CL	Blume et al, <i>Identification of transposon-like elements in non-coding regions of tomato ACC oxidase genes</i> <i>Molecular and General Genetics</i> , Vol. 254 (3) (April 16, 1997), pp. 297-303
	CM	Brantl, S. and Behnke, D., <i>Copy number control of the streptococcal plasmid pIP501 occurs at three levels</i> <i>Nucleic Acids Research</i> , Vol. 20, No. 3 (1992) pp. 395-400
	CN	Braun and Hemenway, <i>Expression of amino-terminal portions or full-length viral replicase genes in transgenic plants confers resistance to potato virus X infection</i> <i>Plant Cell</i> Vol. 4 (1992) pp. 735-744.
	CO	Brederode et al, <i>Replicase-mediated resistance to alfalfa mosaic virus</i> <i>Virology</i> Vol. 207 (1995) pp. 467-474.
	CP	Cameron, F. and Jennings, P., <i>Specific gene suppression by engineered ribozymes in monkey cells</i> <i>Proceedings of the National Academy of Sciences, USA</i> , Vol. 86 (December 1989), pp. 9139-9143
	CQ	Cameron, F.H. and Jennings, P.A., <i>Inhibition of gene expression by a short sense fragment</i> <i>Nucleic Acids Research</i> , Vol. 19, No. 3 (1991), pp. 469-475
	CR	Carr et al <i>Resistance to tobacco mosaic virus induced by the 54-kDa gene sequence requires expression of the 54-kDa protein</i> <i>Molecular Plant-microbe interactions</i> Vol. 5 (1992) pp. 397-404.
	CS	Chuah et al, <i>Inhibition of Human Immunodeficiency Virus Type-1 by Retroviral Vectors Expressing Antisense-TAR</i> <i>Human Gene Therapy</i> , Vol. 5 (December 1994), pp. 1467-1475
	CT	Citron, M. and Schuster, H., <i>The c4 Repressors of Bacteriophages P1 and P7 Are Antisense RNAs</i> <i>Cell</i> , Vol. 62 (August 10, 1990), pp. 591-598
	CU	Dale et al. <i>Intra- and intermolecular site-specific recombination in plant cells mediated by bacteriophage P1 recombinase</i> <i>Gene</i> Vol. 91: (1990) pp. 79-85
	CV	de Carvalho Niebel et al. <i>Post-transcriptional cosuppression of 1,3-glucanase genes does not affect accumulation of transgene nuclear mRNA</i> <i>Plant Cell</i> Vol. 7: (1995) pp. 347-358
	CW	Denoya et al, <i>Translational Autoregulation of ermC 23S rRNA Methyltransferase Expression in Bacillus subtilis</i> <i>Journal of Bacteriology</i> , Vol. 168, No. 3 (December 1986), pp. 1133-1141
2	CX	Dorer et al, <i>Transgene repeat arrays interact with distant heterochromatin and cause silencing in cis and trans.</i> <i>Genetics</i> 147: (1997) pp. 1181-1190.

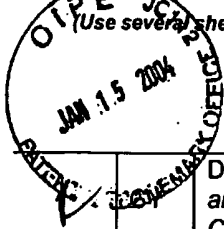
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		Dorer, D.R. and Henikoff, S., <i>Expansions of Transgene Repeats Cause Heterochromatin Formation and Gene Silencing in Drosophila</i> <i>Cell</i> , Vol. 77 (July 1, 1994), pp. 993-1002
	CZ	English et al, <i>Suppression of virus accumulation in transgenic plants exhibiting silencing of nuclear genes</i> <i>Plant Cell</i> Vol. 8: (1996) pp. 179-188
	DA	Fire et al, <i>Production of antisense RNA leads to effective and specific inhibition of gene expression in C. elegans muscle</i> <i>Development</i> , Vol. 113 (1991), pp. 503-514
	DB	Fire et al, <i>Potent and specific genetic interference by double-stranded RNA in Caenorhabditis elegans</i> <i>Nature</i> Vol. 391: (1998) pp. 806-811
	DC	Gervaix et al, <i>Multigene Antiviral Vectors Inhibit Diverse Human Immunodeficiency Virus Type 1 Clades</i> <i>Journal of Virology</i> , Vol. 71, No. 4 (April 1997), pp. 3048-3053
	DD	Goodwin et al <i>Genetic and biochemical dissection of transgenic RNA-mediated virus resistance</i> <i>Plant Cell</i> 8: (1996) 95-105.
	DE	Grierson, D, <i>Silent genes and everlasting fruits and vegetables</i> <i>Nature Biotechnology</i> , Vol. 14(7) (1996) pp. 828-829
	DF	Hama et al, <i>Organization of the Replication Control Region of Plasmid Collb-P9</i> <i>Journal of Bacteriology</i> , Vol. 172, No. 4 (April 1990), pp. 1983-1991
	DG	Hamilton et al, <i>Antisense gene that inhibits synthesis of the hormone ethylene in transgenic plants</i> <i>Nature</i> , Vol. 346 (July 19, 1990), pp. 284-287
	DH	Hamilton et al, "Post-transcriptional gene-silencing in tomato Mechanisms and Applications of Gene Silencing," 57 th Easter School Meeting date 1995; pps. 105-117; Ed: Grierson et al (Nottingham University Press, Nottingham, UK 1996)
	DI	Hamilton, et al, <i>A transgene with repeated DNA causes high frequency, post-transcriptional suppression of ACC-oxidase gene expression in tomato</i> <i>The Plant Journal</i> , Vol. 15 (6) (1998), pp. 737-746
	DJ	Hobbs et al <i>The effect of T-DNA copy number, position and methylation on reporter gene expression in tobacco transformants</i> <i>Plant Molecular Biology</i> Vol. 15: (1990) pp. 851-864
	DK	Ingelbrecht et al, <i>Posttranscriptional silencing of reporter transgenes in tobacco corrects with DNA methylation</i> <i>Proceedings of the National Academy of Sciences, USA</i> Vol. 91: (October, 1994) pp. 10502-10506
	DL	Jorgensen et al, <i>Do unintended antisense transcripts contribute to sense co-suppression in plants?</i> <i>Trends in Genetics</i> Vol. 15, No. 1 (January, 1999) pp. 11-12
	DM	Kawcheck et al <i>Sense and antisense RNA-mediated resistance to potato leafroll virus in russet burbank potato plants</i> <i>Molecular Plant-microbe Interactions</i> Vol. 4, No. 3, (1991) pp. 247-253

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K	DO	Kubo, M. and Imanaka, T., <i>mRNA Secondary Structure in an Open Reading Frame Reduces Translation Efficiency in Bacillus subtilis subtilis</i> <i>Journal of Bacteriology</i> , Vol. 171, No. 7 (July 1989), pp. 4080-4082
	DO	Kumagai et al, <i>Cytoplasmic inhibition of carotenoid biosynthesis with virus-derived RNA</i> <i>Proceedings of the National Academy of Sciences, USA</i> Vol. 92: (1995) pp. 1679-1683
	DP	Lee et al, <i>Inhibition of Human Immunodeficiency Virus Type 1 in Human T Cells by a Potent Rev Response Element Decoy Consisting of the 13-Nucleotide Minimal Rev-Binding Domain</i> <i>Journal of Virology</i> , Vol. 68, No. 12 (December 1994), pp. 8254-8264
	DQ	Leech, et al, <i>Expression of myb-related genes in the moss, Physcomitrella patens</i> <i>The Plant Journal</i> , Vol. 3(1) (1993), pp. 51-61
	DR	Lindbo and Dougherty, <i>Pathogen-derived resistance to a potyvirus: immune and resistant phenotypes in transgenic tobacco expressing altered forms of a Potyvirus coat protein nucleotide sequence</i> <i>Molecular Plant-Microbe Interactions</i> Vol. 5, No. 2 (1992) pp. 144-153.
	DS	Lindbo and Dougherty, <i>Untranslatable transcripts of the tobacco etch virus coat protein gene sequence can interfere with tobacco etch virus replication in transgenic plants and protoplasts</i> <i>Virology</i> Vol. 189: (1992) pp. 725-733.
	DT	Lindbo et al, <i>Induction of a highly specific antiviral state in transgenic plants: implications for regulation of gene expression and virus resistance</i> <i>Plant Cell</i> Vol. 5, (1993) pp. 1749-1759
	DU	Lisiewicz et al, <i>Tat-Regulated Production of Multimerized TAR RNA Inhibits HIV-1 Gene Expression</i> <i>The New Biologist</i> , Vol. 3, No. 1 (January 1991), pp. 82-89
	DV	Lisiewicz, et al, <i>Inhibition of human immunodeficiency virus type 1 replication by regulated expression of a polymeric Tat activation response RNA decoy as a strategy for gene therapy in AIDS</i> <i>Proceedings of the National Academy of Sciences, USA</i> , Vol. 90 (September 1993), pp. 8000-8004
	DW	Lo et al, <i>Inhibition of Replication of HIV-1 by Retroviral Vectors Expressing tat-Antisense and Anti-tat Ribozyme RNA</i> <i>Virology</i> , Vol. 190 (1992), pp. 176-183
	DX	Longstaff et al, <i>Extreme resistance to potato virus X infection in plants expressing a modified component of the putative viral replicase</i> <i>European Molecular Biology Organization Journal</i> Vol. 12, No. 2 (1993) pp. 379-386.
	DY	Lovett, P.S., <i>Translational Attenuation as the Regulator of Inducible cat Genes</i> <i>Journal of Bacteriology</i> , Vol. 172, No. 1 (January 1990), pp. 1-6
	DZ	Marathe and Marton, <i>Cis-repeat induced gene silencing in Tobacco</i> <i>In Vitro Cellular and Developmental Biology</i> , Vol.33, no. 3, Part II, Abstract P-1041, March 1997.
	EA	Marathe and Rajendra, "Cis-repeat induced gene silencing in tobacco," Ph.D. Thesis, Department of Biological Sciences, University of South Carolina, Fall 1997.
	EB	Matzke and Matzke, <i>How and why do plants inactivate homologous (Trans)genes?</i> <i>Plant Physiology</i> Vol. 107: (1995) pp. 679-685.
K	EC	Matzke et al. (1998). <i>Epigenetic silencing of plant transgenes as a consequence of diverse cellular defence responses</i> <i>Cell Mol. Life Sci.</i> Vol. 54(1998) pp. 94-103.

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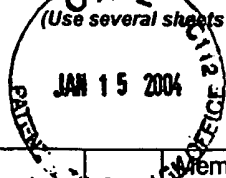
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✓		Memelink et al, <i>Structure and regulation of tobacco extensin</i> <i>The Plant Journal</i> Vol. 4 (6), (1993) pp. 1011-1022
	EE	Metzlaff et al, <i>RNA-Mediated RNA degradation and chalcone synthase A silencing in Petunia</i> <i>Cell</i> Vol. 88 (March 21, 1997) pp. 845-854.
	EF	Montgomery and Fire, <i>RNA as a target of double-stranded RNA-mediated genetic interference in Caenorhabditis elegans</i> <i>Proceedings of the National. Academy of Sciences. USA</i> Vol. 95: (1998a) pp. 15502-07
	EG	Montgomery and Fire, <i>Double-stranded RNA as a mediator in sequence-specific genetic silencing and co-suppression</i> <i>Trends in Genetics</i> Vol. 14, No. 7 (1998) pp. 255-258.
	EH	Mueller et al., <i>Homology-dependent resistance:transgenic virus resistance in plants related to homology-dependent gene silencing</i> <i>Plant Journal</i> Vol. 7, No. 6 (1995) pp. 1001-1003.
	EI	Nellen, W. and Lichtenstein C., <i>What makes an mRNA anti-sense-itive?</i> <i>Trends in Biochemical Sciences</i> , Vol. 18 (Novemeber 1993), pp. 419-423
	EJ	Notice of Opposition of Australian Patent Application #74442/98 (747872), by Commonwealth Scientific and Industrial Research Organization (CSIRO), August 23, 2002
	EK	Notice of Opposition of Australian Patent Application No. 74442/98 (747872) by Benitec Australia Ltd., August 23, 2002
	EL	Pang et al, <i>Post-transcriptional transgene silencing and consequent tospovirus resistance in transgenic lettuce are affected by transgene dosage and plant development.</i> <i>Plant Journal</i> Vol. 9: (1996) pp. 899-909.
	EM	Powell et al, <i>Protection against tobacco mosaic virus infection in transgenic plants requires accumulation of coat protein rather than coat protein RNA sequences</i> <i>Virology</i> Vol. 175: (1990) pp. 124-130.
	EN	Powell-Abel et al, <i>Delay of disease development in transgenic plants that express the tobacco mosaic virus coat protein gene</i> <i>Science</i> Vol. 232: (1986) pp. 738-743.
	EO	Proud, C., <i>PKR: a new name and new roles</i> <i>Trends in Biochemical Sciences</i> , Vol. 20 (June 1995), pp. 241-246
	EP	Que et al, <i>Distinct patterns of pigment suppression are produced by allelic sense and antisense chalcone synthase transgenes in petunia flowers</i> <i>The Plant Journal</i> Vol. 13, No. 3 (1998) pp. 401-409
	EQ	Ratcliff et al, <i>A Similarity Between Viral Defense and Gene Silencing in Plants</i> <i>Science</i> , Vol. 276 (June 6, 1997), pp. 1558-1560
	ER	Schiebel et al, <i>RNA-directed RNA polymerase from tomato leaves</i> <i>Journal of Biological Chemistry</i> , Vol. 263: (1993a) pp. 11851-11857
	ES	Schiebel et al, <i>RNA-directed RNA polymerase from tomato leaves</i> <i>Journal of Biological Chemistry</i> , Vol. 263: (1993b) pp. 11858-11867
✓	ET	Sijen et al, <i>RNA-Mediated Virus Resistance: Role of Repeated Transgenes and Delineation of Targeted Regions</i> <i>The Plant Cell</i> , Vol. 8 (December 1996), pp. 2277-2294

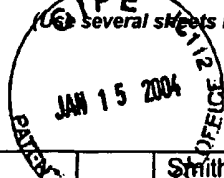
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K	EE	Smith et al. (1994). <i>Transgenic plant virus resistance mediated by untranslatable sense RNAs: Expression, regulation, and fate of nonessential RNAs</i> <i>Plant Cell</i> , Vol. 6: (1994) pp. 1441-1453.
	EV	Stam et al, <i>Post-transcriptional silencing of chalcone synthase in Petunia by inverted transgene repeats</i> <i>The Plant Journal</i> , Vol. 12(1), (1997), pp. 63-82
	EW	Stam et al, <i>The silence of Genes in Transgenic Plants</i> <i>Annals of Botany</i> Vol. 79: (1997) pp. 3-12
	EX	Statement of Ground and Particulars filed by Benitec Australia Ltd. Opposing Australian Patent Application No. 747872, Dated November 22, 2002
	EY	Statement of Grounds and Particulars by CSIRO opposing Australian Patent Application 747872, Dated November 25, 2002
	EZ	Sullenger et al, <i>Analysis of trans-Acting Response Decoy RNA-Mediated Inhibition of Human Immunodeficiency Virus Type 1 Transactivation</i> <i>Journal of Virology</i> , Vol. 65, No. 12 (December 1991), pp. 6811-6816
	FA	Sullenger et al, <i>Overexpression of TAR Sequences Renders Cells Resistant to Human Immunodeficiency Virus Replication</i> <i>Cell</i> , Vol. 63 (November 2, 1990), pp. 601-608
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	FJ	Vaucheret et al, <i>Inhibition of tobacco nitrite reductase activity by expression of antisense RNA</i> <i>The Plant Journal</i> , Vol. 2(4) (1992), pp. 559-569
V	FK	Wagner and Sun, <i>Double-stranded RNA poses puzzle</i> <i>Nature</i> , Vol. 391: (1998) pp. 744-745

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